

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

| | | |
|-----------------------------------|---|--------------------------------|
| THE NEW YORK CITY EMPLOYEES' |) | |
| RETIREMENT SYSTEM; THE NEW YORK |) | |
| CITY TEACHERS' RETIREMENT SYSTEM; |) | |
| THE NEW YORK CITY POLICE PENSION |) | Civil Action No. 08- 3458 (CM) |
| FUND; THE NEW YORK CITY FIRE |) | |
| DEPARTMENT PENSION FUND; AND THE |) | |
| NEW YORK CITY BOARD OF EDUCATION |) | |
| RETIREMENT SYSTEM |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| APACHE CORPORATION, |) | |
| |) | |
| Defendant. |) | |
| |) | |
| |) | |

STIPULATION OF DISMISSAL WITH PREJUDICE

In light of the judgment entered April 22, 2008 by the United States District Court for the Southern District of Texas in Civil Action No. 08-CV-1064, it is hereby stipulated and agreed, by the undersigned counsel and pursuant to Federal Rule of Civil Procedure 41(a), that the above-styled action is dismissed with prejudice, each party to bear its own costs.

Respectfully submitted this th4 day of June, 2008,

By: Karen J. Seemen

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The New York City Employees'
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The Teachers' Retirement System of the
City of New York,
The New York City Police Pension
Fund,
The New York City Fire Department
Pension Fund,
The New York City Board of Education
Retirement System, and

By: Reid M. Figel

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So ordered:

Hon. Colleen McMahon, U.S.D.J.

Dated: June ____, 2008